

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106**

DIVISION 1

**REX GABBERT, PRESIDING JUDGE
THOMAS H. NEWTON, JUDGE
ALOK AHUJA, JUDGE**

DIVISION 2

**KAREN KING MITCHELL, PRESIDING JUDGE
CYNTHIA MARTIN, JUDGE
GARY D. WITT, JUDGE**

DIVISION 3

**VICTOR C. HOWARD, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
NEW JUDGE**

DIVISION 4

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
JAMES E. WELSH, JUDGE
NEW JUDGE**

ORAL ARGUMENT DOCKET - AUGUST, 2016

NOTICE TO COUNSEL

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

DIVISION 1: THIS DIVISION WILL SIT ON AUGUST 4TH AND 31ST, 2016 WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON AUGUST 3rd and 17th, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON AUGUST 2nd and 16TH, 2016, WITH DOCKET CALLS BOTH DAYS AT 9:00 AND 10:30 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON AUGUST 18th, 2016 , WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

DIVISION 4

MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING

JAMES E. WELSH, JUDGE

NEW JUDGE

AUGUST, 2016

<p>IMPORTANT NOTE</p>

**THIS DIVISION WILL SIT ON AUGUST 18TH, 2016, WITH
DOCKET CALLS AT 9:00 AND 10:30 A.M.**

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket**

18-Aug-2016 09:00

DIVISION 4

Western District Ct of Appeals

1. **WD79070**

BUCHANAN COUNTY CIRCUIT COURT

**EVELYN J RANDALL, BY THOMAS RANDALL, PERSONAL REPRESENTATIVE OF THE ESTATE
OF EVELYN RANDALL, RESPONDENT,**

vs

EDDIE D RANDALL AND DONALD ORVILLE RANDALL, APPELLANTS.

EDDIE D RANDALL, Appellant

DIANE KAY HOOK

GARY LEE MYERS

DONALD O RANDALL, Appellant

DIANE KAY HOOK

GARY LEE MYERS

EVELYN RANDALL, Respondent

JOHN FRANCIS BURNS

2. **WD79113**

CLAY COUNTY CIRCUIT COURT

AMANDA K WELCOME (RUNKLES), RESPONDENT

vs

ANTHONY WADE WELCOME, APPELLANT

ANTHONY WADE WELCOME, Appellant

MICHAEL CHESTER MCINTOSH

AMANDA K WELCOME, Respondent

JOHN RICHARD SHANK

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**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket**

18-Aug-2016 09:00

DIVISION 4

Western District Ct of Appeals

3. WD79210

LABOR AND INDUSTRIAL RELATIONS

**JIM PLUNKETT, INC., APPELLANT,
vs
MICHAEL ARD (DECEASED), RESPONDENT.**

JIM PLUNKETT, INC., Appellant

DOUGLAS MARK GREENWALD

ERIC THOMAS LANHAM

REGENT INSURANCE COMPANY, Appellant

DOUGLAS MARK GREENWALD

ERIC THOMAS LANHAM

QBE THE AMERICAS, Appellant

DOUGLAS MARK GREENWALD

ERIC THOMAS LANHAM

MICHAEL ARD, Respondent

JASON PHILIP OSTEEN

VICTORIA ARD, Respondent Acting Pro Se--DID NOT FILE A BRIEF AND THUS WAIVES ARGUMENT.

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MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

18-Aug-2016 09:00

DIVISION 4

Western District Ct of Appeals

4. WD78422

CASS COUNTY CIRCUIT COURT

STEELHEAD TOWNHOMES, L.L.C., ET AL., RESPONDENTS,
vs
CLEARWATER 2008 NOTE PROGRAM, LLC, ET AL., APPELLANTS.

CLEARWATER 2008 NOTE PROGRAM, LLC, Appellant
JONATHAN STERNBERG
BART COCHRAN, Defendant
CHAD HANSEN, Defendant
RON MEYER, Defendant
CLEARWATER REI, LLC, Defendant
BRENDA ASHNER, Plaintiff
SOUTH & ASSOCIATES, P.C., Respondent --DID NOT FILE A BRIEF AND WAIVES ARGUMENT.
JAY DAVID DEHARDT
NANCY MERRILL WILSON
BRENDA WALDBERG, Respondent
JOHN MATTHEW DUGGAN
DERON ALVIN ANLIKER
STEELHEAD TOWNHOMES, LLC, Respondent
JOHN MATTHEW DUGGAN
DERON ALVIN ANLIKER
BERNARD ASHNER, Respondent
JOHN MATTHEW DUGGAN
DERON ALVIN ANLIKER

18-Aug-2016 10:30 DIVISION 4 Western District Ct of Appeals

LARRY CLAY, Appellant
 RUSSELL LEN POWELL
 CLAYTON EVAN GILLETTE
 ERIC CHRISTIAN BECKEMEIER
 STATE OF MISSOURI, Respondent
 SHAUN MACKELPRANG

2. **WD79294** COLE COUNTY CIRCUIT COURT
WD79295

**JEFFERSON CITY APOTHECARY, LLC, D/B/A JEFFERSON CITY APOTHECARY, APPELLANT,
ULDIS PIRONIS, R.PH., APPELLANT,
vs
MISSOURI BOARD OF PHARMACY, RESPONDENT.**

ULDIS PIRONIS, Appellant
 JOHNNY K RICHARDSON
 JEFFERSON CITY APOTHECARY, LLC, Appellant
 JOHNNY K RICHARDSON
 STATE BOARD OF PHARMACY OF MISSOURI, Respondent
 DARYL RALPH HYLTON

3. WD79014 COLE COUNTY CIRCUIT COURT

**DUSTIN C HUGHES, APPELLANT,
vs
CAPITAL REGION MEDICAL CENTER, RESPONDENT.**

DUSTIN HUGHES, Appellant
DANIEL C. MIZELL
CAPITAL REGION MEDICAL CENTER, Respondent
EDWARD CHRISTIAN CLAUSEN
KIMBERLY JOYCE ZOCHER HUBBARD

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket**

18-Aug-2016 10:30

DIVISION 4

Western District Ct of Appeals

**4. WD78574
WD78575**

MERCER COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT,
vs
THOMAS ROLAND FLOYD JR #1284053, APPELLANT**

THOMAS ROLAND FLOYD JR, Appellant
SAMUEL E BUFFALOE
STATE OF MISSOURI, Respondent
GREGORY L. BARNES
JOHN LUTHER YOUNG
